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7 **UNITED STATES BANKRUPTCY COURT**
8 **EASTERN DISTRICT OF WASHINGTON**

9 In re:

Case No. 18-03197 FPC 11

10 GIGA WATT, Inc., a Washington
11 corporation,

Chapter 11

12 Debtor.

13 **NOTICE OF CHAPTER 11**
TRUSTEE'S MOTION FOR ORDER
APPROVING MOSES LAKE
THREE-WAY AGREEMENT

14 **PLEASE TAKE NOTICE** that Mark D. Waldron, in his official capacity
15 as the Chapter 11 Trustee (the "Trustee"), has moved (the "Motion") the Court
16 pursuant to 11 U.S.C. §§ 363 and 365 and Fed. R Bankr. Proc. 9019 for an Order
17 approving the *Agreement to Withdraw Motion for Relief from Stay Motion, for Re-*
18 *Entry of Subtenant Eco-Diversified Holdings, Inc. and for Release of Claim*
19 *Premises* (the "Moses Lake Three-Way Agreement").

20 **PLEASE TAKE FURTHER NOTICE** that pursuant to the Motion, the
21 Trustee requests the Court's approval of the Moses Lake Three-Way Agreement
22 pursuant to which the Trustee is re-opening a portion of the Debtor's operations,
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24 Notice of Chapter 11 Trustee's Motion
25 for Order Approving Agreement, etc. - Page 1

1 nearly doubling the rent owed by the Debtor's subtenant, Eco-Diversified
2 Holdings, Inc. ("EDH"), obtaining the withdrawal with prejudice of EDH's claim
3 in the approximate amount of \$25 million, and entering into a revenue-sharing
4 agreement with the Moses Lake Landlords until administrative liabilities to the
5 Moses Lake Landlords are brought current.

6 **PLEASE TAKE FURTHER NOTICE** that the Motion and its supporting
7 papers and exhibits may be obtained from the Clerk of the above-captioned Court.

8 **PLEASE TAKE FURTHER NOTICE** that if you oppose the Motion,
9 then **within twenty-four day (24) days from the date of service by mail of this**
10 **Notice that is set forth below**, you must file your written response with the Court
11 Clerk, U.S. Bankruptcy Court, E.D. WA, 904 West Riverside Ave., Suite 304,
12 Spokane, WA 99201 or, if by mail, the Court Clerk, U.S. Bankruptcy Court, E.D.
13 WA, P.O. Box 2164, Spokane, WA 99210-2164 **and** serve a copy upon (1)
14 undersigned counsel at CKR Law LLP, 506 Second Ave., 14th Floor, Seattle, WA
15 98114 and (2) James Perkins, Office of The United States Trustee, 920 West
16 Riverside Avenue, Suite 593, Spokane, WA 99201-1012.

17 **PLEASE TAKE FURTHER NOTICE** that the Court may enter an order
18 without actual hearing or further notice unless a written objection is timely served
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1 and filed. If an objection is timely served and filed, you will receive notice of the
2 date and time of a hearing on your objection.

3 **DATE OF SERVICE BY MAIL: APRIL 17, 2019**

4 Dated: April 16, 2019

CKR LAW LLP

5 By: /s/ Pamela M. Egan
6 Pamela M. Egan (WSBA No. 54736)

7 *Attorneys for Mark D. Waldron, Chapter 11*
8 *Trustee*